



# **CORE AREA PARKING DISTRICT BOARD**

## **HANDBOOK**

**September 1990**

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## **INTRODUCTION**

This information handbook was written to familiarize new Core Area Parking District Board members with the functions of the Board within the City government. Areas covered are as follows:

- Role of Advisory Committees in City government
- Creation and purpose of the Core Area Parking District
- Revenues and expenses of the District
- Meeting schedule and operations
- Core Area Parking District tax assessments
- Role of the Tualatin Development Commission
- Tualatin Commons Redevelopment Project
- Other Citizen Advisory Committees and Boards.

## **ROLE OF ADVISORY COMMITTEES IN CITY GOVERNMENT**

Tualatin's Charter provides for a system of government commonly referred to as the Council/Manager form of government. The City Council, consisting of a Mayor and six Council members elected at large, is vested with full powers of the City. The City Manager is the administrative head of the government and also acts as the City Recorder.

The City Council has established advisory committees and boards that serve to provide citizen involvement in specific areas of interest to the City. These committees and boards make recommendations to the Council on various issues that will come before the Council. Each of the current committees and boards will be briefly described in a later section of this handbook.

Committee and board members are selected by a subcommittee of the Council. The subcommittee reviews applications and conducts interviews of interested applicants before recommending selection to the full Council. The full Council has the authority to either approve or disapprove the subcommittee's recommendations.

## **CREATION AND PURPOSE OF THE CORE AREA PARKING DISTRICT**

Established by the adoption of Ordinance No. 485-79 in June 1979, the District encompasses 24 acres in the downtown area of Tualatin (see attached map). The approximate boundaries of the District are SW Martinazzi Avenue to the east, SW Boones Ferry Road to the west, SW Nyberg Road to the south, and Hedges Creek on the north. The enclosed map shows the boundaries.

When a property owner decides to build a development within the City – residential, commercial, industrial, or public – the developer must provide on-site parking to support

the development. This is common for municipalities. Based on the availability of public parking spaces in the downtown area and to maximize the utilization of public parking lots, a developer may be given the option of “buying down” up to 25% of the required parking spaces by paying an Impact Fee. The amount of this fee as of June 2002 is \$3500 per space and is subject to change. (Note\* PTA-11-12 removed the “impact fee” option.)

The concept of providing a public parking district was envisioned in the late 1970’s when the Urban Renewal Agency of the City developed an urban renewal plan. As a part of the process of developing the plan, the Urban Renewal Advisory Committee (URAC) hired consultants to study different aspects of the Central Urban Renewal Area of the City. The study showed that developing in the Core Area of the City was difficult, if not impossible, because the lots were too small singularly and often in diverse ownership. Most of the development parcels were too small to locate a business, and the parking needed to support the building. Purchasing multiple parcels large enough to build commercial establishments proved difficult, at best. Many of the parcels in the area were owned and lived on by long-time residents who did not want to move out of their house in the Central Business District.

One of the recommendations of the study was to provide public parking lots and provide incentives for developers to build in the area. After studying different alternatives to the land use problems in the Core Area, the Urban Renewal Advisory Committee determined that public parking would be the best solution to many of the development-related problems. The committee felt that development within the Core Area, as well as the general public, could benefit from providing public lots. Creating lots that are used by a variety of users is more efficient than each use providing separate parking. Such a policy allows denser development by reducing the total number of parking spaces needed and encouraging full use of the individual parcels.

The Central Urban Renewal Plan was adopted in October 1977 (as amended). Upon its adoption, the process was set in motion for the city to begin urban renewal projects that were listed in the plan. Included in the projects was the formation of the Core Area Parking District.

During March of 1978, the City Council met in work sessions to discuss the concept of developing a public parking district. The staff and Council developed a broad outline of how the district would be structured. A subcommittee of URAC was formed to prepare a draft of an ordinance to officially form and implement the District. Additionally, they were given the task of researching and preparing all of the necessary materials for the implementation of the program.

Items that were considered by the subcommittee consisted of determining the parking district boundary, determining a method of assessing costs of the District, how to distribute the costs, establishing the organization and duties of the Board, and developing a method whereby new construction would be assessed a fee for the parking impact that the new construction created in the District.

After about a year of work by the subcommittee, the Council adopted Ordinance No. 475-79 on June 11, 1979. This ordinance formed the Core Area Parking District, established the Board, established an impact fee for new development in the District, and provided for the assessment of taxes to businesses in the Core Area to maintain the parking lots. Urban Renewal funds were identified to pay a large percentage of costs to construct public lots in the District.

Parking lots were constructed in the 1980's and 1990's. Developers built many buildings that now are in the District as a result of the actions. In 1993-1994, the Core Area Parking District Board spent considerable time reviewing the options for handling parking in the rapidly-growing downtown area. As a result of those meetings, it was agreed that the developer must provide at least 75% of the Tualatin Development Code required parking. The original Impact Fee was modified to address an additional 25% reduction opportunity. The fee was set at \$2,000 per public parking space. Funds collected were specifically identified to be expended only in constructing new public parking spaces. This Impact Fee was subsequently increased to \$3500 in June 2002.

***In 2010, the Tualatin Development Commission decided to end the Central Urban Renewal District and cease collection of the urban renewal tax increments. There are no urban renewal funds available for the construction of public parking lots by the CAPD, beyond what was collected prior to the closure of the Central Urban Renewal District.***

***Up to and following the urban renewal decision of 2010, the CAPD Board and the City Council actively explored alternatives for addressing a funding gap between CAPD tax revenue and operating costs, evaluating the parking supply in the CAPD, looking at parking management strategies, and assessing needs for construction of new CAPD lots. In October 2011, the CAPD Board recommended removing the "impact fee" provisions as well as other alternatives for making the CAPD more sustainable financially. In 2012, the City Council approved amendments to the Tualatin Municipal Code and Tualatin Development Code removing the "impact fee" provisions (Ordinance 12-xxxx).***

***At the May 2012 CAPD meeting, the Board (-approved-) the decision to transfer the CAPD operation and maintenance budget to the Operations Department and oversight by the Operations Director. The transfer will occur on July 1, 2012 at the beginning of the 2012/2013 Fiscal Year.***

## **BOARD RESPONSIBILITIES**

Since the inception in 1979, the Board has been active in many aspects of the District, including purchasing land, constructing parking lots, managing parking lots, performing parking analyses, and other functions that have proved to be vital in ensuring adequate

parking within the District. Many challenges lie ahead as planning for the Central Downtown area continues. The staff and the City Council depend on the Board to ensure the success of the District.

The Council delegates to the Board the responsibility for the operation of the District. Responsibilities include:

- Providing for and monitoring lot maintenance;
- Monitoring parking regulations;
- Recommending payment by Council of expenses of the District, including reimbursement to the City for administrative and legal expenses; and
- Other matters which pertain to the daily operation of the District.

In addition, the Council is required to consult the Board on policy matters affecting the District. Such policy matters include:

- Location of new lots;
- Design of new lots;
- Improvements to existing lots and development of new lots;
- Regulation of parking facilities;
- Capital outlays for the District, including Urban Renewal funds;
- Purchase of property for District purposes;
- Determination of fees, taxes, appeal of taxes and credits;
- Other policy matters pertaining to the District.

## **REVENUES AND EXPENSES OF THE DISTRICT**

### **REVENUES**

Three revenue sources are used for constructing and maintaining parking facilities in the Core Area. ~~Urban Renewal funds and impact fees are used for capital improvements, and a~~ A parking tax is assessed to all businesses in the District to cover annual maintenance costs. The subsections below describe in more detail each of these revenue sources.

~~**Urban Renewal Funds** are used for capital improvements. The majority of the funds needed to pay for public parking facilities are urban renewal funds. For an explanation of tax increment financing, the prime tool of urban renewal projects, contact the Tualatin Development Commission, the Urban Renewal Agency of the City of Tualatin.~~

~~**Impact Fees** collected in the parking space buy-down program are used exclusively for capital improvements for parking space designated construction.~~

**Parking Taxes** are assessed on an annual basis to every business in the Core Area Parking District. These funds pay for the maintenance of the parking facilities.

Businesses are taxed according to use (office, retail, service, medical office etc.) and the Gross Leasable Area. Certain land uses – such as restaurants – typically use more parking than others – such as offices. The tax rates incorporate these differences into determining the tax rates for various uses.

A business is taxed according to type and square footage and not by how many spaces the individual business owner states is needed to support the business.

The annual tax rate is determined by the Council on recommendation of the Board before the beginning of each tax year (July 1). The City sends a tax assessment form to those conducting a business in the District. Users are provided an option of paying the tax in three equal payments or in one payment. If the user selects the single payment, a discount of five percent is given if the taxes are paid in full by the due date. If the payment system is chosen, interest of the unpaid portion is charged at a monthly rate of 1.5 percent. Those businesses who select the payment plan are sent reminders before the second and third payments are due.

Buildings that have multiple tenants and share parking spaces pose a special problem to the District. In order to fairly tax the various users within the building, the building manager is required to submit a form indicating the Gross Leasable Area of each user as well as the private **parking** spaces (if any) allocated to each user. Staff then submits statements to individual business owners within the building indicating their tax according to the information provided by the building owner/manager.

## **EXPENDITURES**

**Capital Improvement Costs.** Parking facilities – lots and structures – are the main capital costs in the District. Impact fees **collected** from development in the District must, by ordinance, be used for capital improvement projects or kept in an account until improvements are warranted. Interest from the funds also must be used for capital improvements. ***In May, 2012, the City Council decided to end the Impact Fee option for downtown developers through Plan Amendment PTA-11-12.***

**Maintenance and Operating Costs.** Annual maintenance and operating ~~costs for the District currently amount to over \$58,000 (2002 figure).~~ The expenditures include sweeping, utilities, landscape maintenance, utilities (lighting), and striping. City work crews do some of the maintenance work, largely landscaping, and private companies are contracted to do other projects. The City Parks, **Operations and Police** Departments are reimbursed for their work in the District. ***CAPD parking enforcement is performed by Police Department staff.***

## **TAX APPEAL PROCESS**

TMC 1-24.145 **11-3-145** outlines the procedure to be followed if a business in the Core Area would like to appeal the amount of their Core Area parking tax assessment, as outlined below:

1. A person in disagreement with a Core Area Parking District tax assessment may appeal the tax assessment to the City Council by filing a written request with the Community Development Department describing with particularity the tax assessment from which the person appeals.
2. An appeal of the tax assessment must be filed within 30 days from the date the tax bills were mailed, ~~except for Fiscal Year 02/03 when appeals must be filed within 30 days after adoption of the appeal process.~~ The Core Area Parking District Board must review and make a recommendation on the appeal to the City Council. The appeal shall be accompanied by a filing fee as established by Council resolution (the current filing fee is \$100.00). The appeal fee shall be refunded in the event the Council determines the tax assessment was incorrect.
3. The appeal shall state:
  - (a) the name and address of the appellant;
  - (b) the reason the tax assessment is incorrect (required to be based on one of the following):
    - number of on-site spaces provided
    - gross leasable area
    - space factor
    - error in the calculation with the tax formula
  - (c) what the correct tax should be or how the correct tax should be derived.

An appellant who fails to file such a statement within the time permitted waives his or her objections, and his or her appeal shall be dismissed.

4. The Core Area Parking District Board shall consider the matter within 45 calendar days after the appeal is received. The Core Area Parking District Board shall consider the appeal on the basis of the appellant's written statement and any additional evidence the Board deems appropriate.

The appellant shall carry the burden of proving that the tax assessment being appealed is incorrect and what the correct tax should be or how a correct tax should be derived.

5. The Core Area Parking District Board's recommendation shall be forwarded to the City Council at their next available meeting date. If the Council determines that the tax was assessed improperly, the Council shall direct that a revised tax assessment be completed.

## **MEETING SCHEDULE AND OPERATIONS**

Meetings are currently held quarterly during the year. For years they were held on a monthly basis, but issues that the Board had to deal with were diminishing so the Board elected to hold the meetings quarterly with the understanding that monthly meetings could be scheduled when issues warranted the attention of the Board more often than every three months.

The Chair, elected at large at the first meeting of the year, conducts the meetings. In the Chair's absence, the Vice Chair conducts the meeting. A week prior to the meeting, staff mails out an agenda of the meeting, a copy of the last meeting's minutes, and staff reports of agenda items. The agenda is broken down into seven separate sections which are described below. The Chair addresses all sections during the meeting. A tape of the meeting is made and kept for the permanent record.

- **Call to Order** The Chair calls the meeting to order at the time the agenda indicates the meeting is held. The Vice Chair assumes responsibilities in the absence of the Chair. If a quorum – a majority of the members – is not present, the Chair can wait to open the meeting, proceed with information-only items on the agenda, or adjourn the meeting.
- **Roll Call**. The recording secretary calls the roll. The secretary is an employee of the City who is responsible for taking minutes at the meetings. Members verbally acknowledge their presence. Those who are absent are so marked. Excused absences are noted as well as unexcused absences. Excused absences are when a Board member calls to inform staff that they will not be able to attend the meeting.
- **Approval of Minutes**. The Chair requests comments from members concerning the minutes of the previous meeting. If changes to the minutes are needed, the secretary notes the changes and changes the record copy. After changes are noted, the Chair asks for a motion to approve the minutes. A motion, a second and a vote are needed to approve minutes.
- **Announcements**. Staff will respond if there are any announcements of interest to the Board. Often the announcements will be of other meetings of interest or any other pertinent information that has arisen since the agenda was mailed.
- **Regular Business**. Items in this category include ACTION items and INFO items. ACTION items require a vote for recommendation to the Council. A majority of members – a quorum – is necessary to be present at the meetings to vote on ACTION items. INFO items are, as the title implies, for information only. This information is often progress reports on activities within the downtown area, reports of tax collection efforts, or other pertinent information. The public may be present for comment, and the Chair will invite them to speak to the Board.

- **Other Business.** Reserved for communications between Board, this part of the agenda provides an opportunity for members to discuss items not included in the agenda for discussion.
- **Adjournment.** After the Chair decides that the business of the Board has been addressed, he/she asks for a motion, a second of the motion and a vote to adjourn the meeting.

## **ROLE OF THE TUALATIN DEVELOPMENT COMMISSION**

The City of Tualatin's Urban Renewal Agency is called the Tualatin Development Commission. The Commission is composed of the Mayor and the members of the City Council but is considered a separate legal entity from the City Council. The Commission primarily receives staff support from the City Manager (who is also the Commission Administrator) and the Economic Development Department. Other departments within the City provide staff support as needed.

The City Council has adopted two urban renewal plans establishing areas where the City will focus development and redevelopment efforts, where circumstances exist that enable the City to use urban renewal policies. The Parking District is part of the Central Urban Renewal District, an area encompassing 327.48 acres in central Tualatin. The plan calls for the use of tax increment financing to fund improvements in streets and utilities, acquiring land for resale and redevelopment, and developing public parking facilities (lots and structures).

## **TUALATIN COMMONS REDEVELOPMENT PROJECT**

At the heart of the Central Urban Renewal Plan is the redevelopment of the downtown area. The major project within that area is "Tualatin Commons." Originally referred to as "Village Square," the project's goal was to create infrastructure in the downtown area to encourage and support private development in the core of the City. People asked where downtown Tualatin was because there really wasn't one to speak of. This project became the heart of the City.

The Tualatin Development Commission continued the process of revitalizing the Core Area. Planning and construction of the major components of the area was done between 1986 – 2000. The Tualatin Commons project is located within and adjacent to the Core Area Parking District. Providing convenient parking was a key to the success of the project. Retail establishments have typically moved out of the downtown areas and into malls where customers can park next to the front door of the stores and shops. The challenge of this project was to provide convenient parking not only to retail interests, but to other interests common in downtowns – restaurants, theaters, offices – while encouraging a pedestrian-safe environment.

Parking is largely provided and maintained by the public, the Core Area Parking District. The Board is tasked with many issues involving parking for the development and surrounding businesses. Some of these issues include: location of lots and structures, maintenance and management of the parking facilities, parking tax rate determination, possible expansion of the District, and other issues pertinent to parking.

Private developers were also involved with redeveloping a great deal of the project and played a very important part of the project. Private development provides the property value and ultimately the taxes that from Urban Renewal uses that were used to pay for public improvements, including parking facilities.

Tualatin Commons is a project that has had its failures: two developers have tried to locate a retail-based center in the site and failed. The project has taken a different direction. Rather than a retail-based center with major department stores, the site seems to be more inclined to develop around a civic center, city hall, and mixed private use. Instead of negotiating with one developer on the site, selling individual developable sized parcels to a variety of interests resulted in a mixed-use downtown. The Board's participation in the process was an important facet of the project.

## **TUALATIN COMMONS ENHANCEMENT STRATEGY**

In late 1999, the staff members and the Tualatin Development Commission met to begin an economic visioning process. A main goal of this plan was the continued focus on Tualatin Commons to ensure that the businesses located there, as well as surrounding businesses in the Core Area, remained economically viable. As related to the Core Area Parking District, specific projects identified include the Boones Ferry Road Pedestrian Crossings, expansion of Parking Lot C (now called the "White" lot), expansion of Parking Lot G (Green lot), and general enhancements to the Core Area.

## **POLICIES OF THE CORE AREA PARKING DISTRICT**

**Policy 1. The Board shall manage the public parking lots for the benefit of the customer-oriented businesses in the District.**

This policy supports the concept of providing parking for customers of the businesses within the district. The short-term parking spaces are generally located within close proximity to entrances of businesses in the area to provide close and convenient parking for the higher customer turnover businesses.

**Policy 2. The Board shall use enforcement actions to keep employees out of the short-term parking spaces.**

This policy supports the concept of providing parking for customers of the businesses within the district. The short-term parking spaces are generally located within close

proximity to entrances of businesses in the area to provide close and convenient parking for the higher customer turnover businesses.

**Policy 3. To achieve the best utilization of parking within the district and individual parking lots.**

The public parking within the core area will be utilized more as the area develops due to the reduction in on-site parking required for development in the core area. More demand for the public parking will occur, which drives the need for efficient use of the public parking.

**Policy 4. Review parking time allocations on a yearly basis for all public lots.**

This policy would allow staff to anticipate workload and be able to conduct analysis on a regular basis. Specific requests could still be reviewed and processed as they arise. This policy will allow the Board to make recommendations on efficient use of the parking on a yearly basis.

**Policy 5. Review requests for the impact fee for reduction of private parking on a case-by-case basis.**

The impact fee for a reduction in private parking spaces will become more scrutinized due to the current limited amount of public parking available to be built in the Core Area. Therefore, each request should be reviewed on a case-by-case basis to determine if public parking can be built to cover the requested reduction.

**Policy 6. Sub-compact stalls should be discouraged in the public parking lots.**

Sub-compact stalls have been discussed by the Board in the past and have been generally discouraged.

**Policy 7. Review the tax assessment rate on a yearly basis to ensure operation and maintenance costs are covered.**

The tax rate was updated in 2002 to adequately cover operation and maintenance costs within the Core Area. A yearly review of the tax assessment is appropriate to keep the Core Area revenues in line with costs.

**Policy 8. No public parking space shall be dedicated to a specific individual or business.**

This has been a consistent practice staff and the Board has followed since the beginning of the Core Area. The parking lots are built and managed for public use.

**Policy 9. Private development shall utilize on-site spaces prior to utilizing public spaces.**

Private parking provided on-site is required by the Tualatin Development Code. This parking is provided for the employees and visitors of the business located within the development.

**Policy 10. Provide education materials about the district to new businesses that locate in the Core Area Parking District.**

Staff can provide education materials to new businesses in the district. The materials can be sent out when either a business license is issued or when new tax statements are sent out.

**Policy 11. Parking re-allocation requests are limited to 2 private party requests per year for each lot.**

This policy will help limit unnecessary re-allocations or multiple offsetting re-allocations on the same lot within the district.

**Policy 12. Enforcement shall be extended to limit those that conduct “space hopping”.**

Space Hopping is seen as loophole in the enforcement of parking time allocations in the Core Area. Extension of Parking Time. No person may move a vehicle from one time-specified space to another timed-specified space within a public parking facility in the Core Area Parking District without first reaching an off-site destination and for the sole purpose of extending the time the vehicle is legally parked.

**Policy 13. Parking enforcement during weather-related events.**

Some of the public parking lots in the Core Area (Green and Blue Lots) are prone to flooding during severe storms and/or periods of continuous rain. When these weather events occur, patrolling by the Parking Enforcement Officer will not be done on any parking lot affected by flooding. Employees and visitors to the downtown area will not be issued warnings or citations on any lot which has excessive standing water which, in turn, eliminates the availability of all parking stalls.

**~~Policy 14. Temporary City Library Parking in the Core Area Parking District (CAPD) During Library Expansion Project.~~**

~~On a temporary basis, the Library can utilize parking facilities within the Core Area. Library patrons will be permitted to utilize both on-street parking, as well as any 1 to 3 hour parking spaces within the Yellow Lot. Employees will not use the Yellow Lot but are permitted to park in the Red Lot. The Library will be required to pay the Core Area Parking District tax the same as businesses in the CAPD. This Policy shall be in effect until the Library moves to its permanent location. (This Policy applied to the temporary Library location on SW Nyberg Street and no longer applies).~~

## **OTHER COMMITTEES AND BOARDS**

There are currently six standing committees and two boards that support the City Council, including the Core Area Parking District. Listed below are other committees and boards as well as a brief description of their function in the City government. Boards and committees essentially have the same function in the Tualatin city government, that of an advisory group to the City Council/Tualatin Development Commission.

- **Arts Advisory Committee.** This Committee was created to encourage greater opportunities for recognition of arts in Tualatin, to stimulate private and public support for programs and activities in the arts, and to strive to ensure excellence in the public arts collection.
- **Budget Committee.** Local Budget law requires a Budget committee comprised of an equal number of citizen members to members of the Council. They are charged with the responsibility of reviewing the City budget, holding public budget hearings, and recommending its adoption by City Council.
- **Library Advisory Committee.** This committee serves as a direct link between the Library Manager and the citizens of the community and makes recommendations to City Council on policies, maintenance, and improvements to the Library.
- **Tualatin Parks Advisory Committee (TPARK).** This committee makes recommendations to the City Council regarding public parks and recreational activities including immediate and long-range planning, land acquisition, development and recreational programming.
- **Tualatin Planning Commission (TPC).** The TPC provides an opportunity for citizens to review, advise and make recommendations to City Council on matters affecting land use planning and the City's Comprehensive Plan. Issues covered include land use, economic development, public facilities, and related ordinances. **The TPC also serves as a quasi-judicial decision-making body on five specific land use application types:**
  - ◦ **Industrial Master Plan (IMP)**
  - ◦ **Reinstatement of Use**
  - ◦ **Sign Variance (SVAR)**
  - ◦ **Transitional Use Permit (TRP)**
  - ◦ **Variance (VAR)**
- **Urban Renewal Advisory Committee (URAC).** URAC deals with issues related to both urban renewal districts in the City of Tualatin, the Central Urban Renewal Area and the Leveton Tax Increment District. URAC has been very closely involved with all aspects of the Tualatin Commons projects. The chair of the Core Area Parking District Board is required to be a non-voting member of

URAC and is expected to attend the monthly meetings to represent the views of the Board.

- **Architectural Review Board (ARB).** The ARB serves as a forum for appealing decisions of the Planning Director, relating to development conditions imposed on commercial, industrial, or multi-family housing development. The ARB is charged with the responsibility to review plans and determine compliance in the following areas: site development, architecture, graphic decision, and landscaping (except for single family dwellings.)

**Ad-Hoc Committees.** In addition to the eight standing committees and boards, the City Council will occasionally appoint special committees to study specific areas of concern. Past ad-hoc committees include the Zidell Ad-Hoc Committee, a committee formed to make land use recommendations on a major piece of land adjoining the downtown area, a sign ordinance committee, a committee formed to study community centers as a part of the Tualatin Commons project. The duration of these committees lasts anywhere from a couple of months to a year or more and often include members from other committees, interested citizens, and professionals in the field of the subject matter.

Current Ad-Hoc committees include the ***Arbor Day Ad-Hoc Committee and the Gateway Feature and Monument Sign Project Committee.***